

REMARKS

In a Request for Information mailed July 5, 2007, the Examiner requested information from Applicant under 37 CFR § 1.105. Applicant presents the following response.

In the Request for Information, the Examiner indicated she had located information regarding Applicant's and Assignee's "Cultural Assessment Process" and "Corporate Cultural Assessment" services. The Examiner requested the following information regarding these services:

- (1) When these services were first made available to the public;
- (2) Whether there were any precursors to these services; and
- (3) Any differences between Applicant or Assignee's own related products and services (including any precursors to current services) in comparison to the disclosed and claimed invention.

To the best of Applicant's knowledge after appropriate inquiry, Applicant and Assignee disclosed an earlier version of its cultural assessment program in November 2000 (copy enclosed). The version disclosed was derived from the inventors and thus does not qualify as prior art to this application.

Applicant and Assignee also disclosed a Cultural Assessment Overview/Pro-Active Employee Satisfaction Measurement Tool to the public. The Pro-Active Employee Satisfaction tool disclosed to the public in September 1999 was an overview and did not include specific features recited in the claimed invention. For example, the Pro-Active Employee Satisfaction tool did not disclose or suggest, among other things, "sorting the compiled responses to identify a theme based on the response having a

highest frequency of occurrence, generating a report based on the identified theme, automatically selecting a first action corresponding to the identified theme in reply to receiving the report, collecting responses from members of the organization reflecting a performance of implementing the first action in the organization, and sorting the collected responses to identify an effect of the implemented first action on the organization based on the response having a highest frequency of occurrence," as recited in independent claim 1. A copy of the presentation slides disclosed to the public in 1999 is attached.

To the best of Applicant's knowledge after appropriate inquiry, Applicant did not rely on any art, beyond what has been previously presented in information disclosure statements and disclosed in the Background art section of the patent application, to develop the recited subject matter disclosed in the claimed invention. During the investigation associated with this Request for Information, Applicant uncovered additional prior information. This additional information has been included in the attached IDS. Applicant notes that it does not recall relying on any of this additional information in developing the claimed invention.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: December 5, 2007

By: 

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Attachments: Cultural Assessment Overview (Sept. 1999)
Goodwill Cultural Assessment (Nov. 2000)